IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1346 OF 2004

Prem Prakash Verma ...Petitioner
vs.
M/s.Shree Ramanuj Finance P.Ltd.& anr. ...Respondents

Mr.Ajit Karwande for the Petitioner
Mr.S.V.Marwadi for the Respondent No.1
Ms M.H.Mhatre,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 13,2005

P.C.:

1. Heard Advocates for the parties. The Petitioner is an accused in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 by the Respondent No.1 The Petitioner applied for recalling the order of process and for consequential order of discharge. The said application was rejected. Revision Application filed by the Petitioner has been rejected by the Sessions Court.

2. As held by the Apex Court in case of Adalat Prasad, the application made by the Petitioner for recalling the order of process is not maintainable. Hence, no fault can be found with the impugned Judgments and Orders. Petition is rejected.

3. All questions on merits are kept open.

4. Rejection of this Petition will not preclude the Petitioner from taking out appropriate proceedings.

JUDGE